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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/574,317	05/19/2000	Michael J. Polcyn	47524-P069D2-10015700	7216

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EXAMINER

BUI, BING Q

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 04/01/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.
09/574,317

Applicant(s)

Polcyn

Examiner
Bing Bui

Art Unit
2642



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jan 2, 2002
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 17-20 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15 and 17-20 is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other: _____

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DETAILED ACTION

1. This action is in response to applicant's response filed on 01/02/02. Claims 1-15 and 17-20 are now pending in the present application. **This action is made final.**

Claim Rejections - 35 U.S.C. § 102

2. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Brennan et al (US Pat No. 5,329,578).

Regarding claim 1, with respect to Figure 1a, Brennan et al teach a system for completing calls from a calling party 14 to a subscriber (particular called party) who may be present at any one of a plurality of locations comprising:

subscriber's profile which includes subscriber's schedule (calendar information with respect to said called party) stored in database (on a general processor-based system) (Abstract; Fig 1b, elements 24 and 28; and col 6, ln 47-col 7, ln 4); and

means for providing select portions of said calendar information to a voice mail system (an automatic call routing system), wherein a call routing scheme of said voice mail system (call routing system) is modified to route calls as a function of said select portions of said calendar information (col 1, ln 15-25; col 2, ln 45-60 and col 6, ln 47-col 7, ln 4).

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Regarding claim 2, with respect to the recited system, Brennan et al further teach the subscriber's profile comprises subscriber's numbers, callers' list, etc. (calendaring information comprises a data file) associated with subscriber's schedule operable in a application processor (personal computer) (Fig 1b; col 4, ln 36-44 and col 5, ln 60-col 6, ln 4).

Regarding claim 3, Brennan et al further teach the providing means is operable automatically (col 1, ln 15-25; col 5, ln 39-46 and col 6, ln 47-col 7, ln 4).

Regarding claim 4, Brennan et al further teach the automatic operation of said providing means is initiated upon modification of said subscriber's profile which includes subscriber's schedule (calendaring information) stored in a database (general purpose processor-based system) (col 1, ln 15-25; col 5, ln 39-46 and col 6, ln 47-col 7, ln 4).

Regarding claim 5, Brennan et al teach a method and system for scheduling a telephone call from a calling party directed to a particular called party, wherein said automatic operation of said agent module (providing means) is initiated at a preselected time interval (col 1, ln 15-25; col 5, ln 39-46 and col 6, ln 47-col 7, ln 4).

Regarding claim 6, Brennan et al further teach the providing means comprises: means for gleaning said subscriber's schedule from subscriber's profile (select portions of calendaring information from a data file) stored in database (general purpose processor-based system) (Figs 3a-3e; col 6, ln 47-col 7, ln 4 and col 13, ln 45-56); and

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means for manipulating said gleaned information to provide said calendaring information in a format suitable for augmentation into call routing information of said call routing system (Figs 3a-3e; col 6, ln 47-col 7, ln 4 and col 13, ln 45-56).

Regarding claim 7, Brennan et al further teach the providing means comprises means for selectively disseminating at least a portion of said calendaring information through said call routing system, wherein said disseminated calendaring information results in a humanly perceptible reproduction of said at least a portion of said calendaring information (Figs 3a-3e; col 6, ln 47-col 7, ln 4 and col 13, ln 45-56).

As to claims 8-14, they are rejected for the same reasons set forth to rejecting claims 1-7 above, since claims 8-14 are merely a method of operation for the system defined in the system claims 1-7.

Allowable Subject Matter

3. Claims 15 and 17-20 are allowed.

Response to Arguments

4. Applicant's arguments filed 01/02/02 have been fully considered but they are not persuasive.

Regarding claims 1 and 8, Applicant mainly argues that:

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(a) Brennan does not disclose a general purpose processor based system where the calendaring information with respect to said called party is stored;

(b) Brennan does not the step of providing the select portion of the calendaring information to an automatic call routing system, wherein the call routing scheme of the call routing system is modified a function of the select portions of the calendaring information provided;

(c) Brennan does not disclose the storing calendaring information including specific events scheduled with respect to said called party.

Examiner respectfully disagrees with the Applicant's arguments cited above due to the following reasons:

As to part (a), with respect to figure 1b and its corresponding description, Brennan discloses database 24 which is considered as a general purpose database since it is suitable for storing many forms of data such as voice message file, callers list, subscriber number list, subscriber schedule, etc. with respect to a subscriber (calendaring information with respect to a called party)

As to part (b), with respect to col 6, ln 47-col 7, ln 25, Brennan discloses the subscriber provides his specific schedule associated with day, time, location, etc. (select portion of the calendaring information) to the Personal Communication Service, wherein the subscriber's schedule is modified to route calls based on such specific schedule (a function of the select portions of the calendaring information provided).

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As to part (c), with respect to figure 1b and col 6, ln 47-col 7, ln 25, Brennan discloses the subscriber's schedule stored in database includes specific events such as day, time, location, who is calling, emergency call, etc. with respect to the subscriber to which the call is routed based on the recited specific events.

For above reasons, Examiner believes that maintaining Brennan for supporting Examiner's final action is appropriate.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Horvitz et al (US Pat No. 5,864,848) disclose a system that enable a computer system user to organize his personal schedule using an electronic calendar program.

Cahill et al (US Pat No. 5,500,938) disclose a system and method for designating a time, for example, a start and/or stop time for an event to be scheduled on an electronic calendar program.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui whose telephone number is (703) 308-5858. The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314 and for formal communications intended for entry (please label the response "EXPEDITED PROCEDURE") or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

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BING BUI

Patent Examiner

A handwritten signature in black ink, appearing to read "Ahmad Matar". The signature is written in a cursive, flowing style.

AHMAD MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600